



WEB COPY



HCP.No.2699 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2024

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

H.C.P.No.2699 of 2024

V. Muthulakshmi

... Petitioner

Vs

1. The Principal Secretary to the Government,
Home, Prohibition and Excise(XVI) Department,
Secretariat, Fort St.George,
Chennai 600 009.
2. The Commissioner of Police /Detaining Authority,
Office of the Commissioner of Police, Coimbatore City,
Coimbatore District.
- 3 The Superintendent of Prisons,
Central Prison Coimbatore,
Coimbatore District.
- 4 The Inspector Of Police (crime),
E-1 Singanallur Police Station ,
Coimbatore City, Coimbatore District.

.... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus, to call for the entire records, connected with the detention order



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of the 2nd respondent in C.No.37/G/IS/2024 dated 29.04.2024 and quash the same and direct the Respondents to produce the detenu namely V.Karthikeyan @ Karthi, S/o. Velayutham (TPDA No.814), aged about 26 yrs, now detained in Central Prison, Coimbatore before this Honble Court and set him at Liberty.

For Petitioner : Mr. D.Sathya
For Respondents : Mr.R. Muniyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court is made by *S.M.SUBRAMANIAM, J.*)

The order of detention passed by the Commissioner of Police, Coimbatore City in C.No.37/G/IS/2024 dated 29.04.2024 is sought to be quashed in the present Habeas Corpus Petition.

2. The detenu was arrested on 29.03.2024 and the detention order has been issued on 29.04.2024. The detenu has been detained under the Preventive Detention Law for about 7 months.

3. The learned counsel for the petitioner would submit that certain documents enclosed in the booklet are illegible and therefore, the detenu has been



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deprived of submitting his representation under Act 14/1982 in an effective manner.

4. That apart, two adverse cases are relied upon and both the cases registered under IPC can be dealt with under the Law of the land. We do not find any sustainable ground for the purpose of invoking Act 14/1982.

5. For all these reasons, we do not find any reason to continue the impugned detention order. Hence, the detention order passed by the second respondent in C.No.37/G/IS/2024 dated 29.04.2024 is quashed and the Habeas Corpus Petition is allowed. The detenu, viz., V.Karthikeyan @ Karthi, S/o. Velayutham (TPDA No.814), aged 26 years, now confined at Central Prison, Coimbatore, is directed to be set at liberty forthwith, unless he is required in connection with any other case.

[S.M.S., J.]

[M.J.R., J.]

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
mrp

